



Shu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hidekazu SAKAGAMI et al.

Title: MOBILE MARKETING METHOD, MOBILE MARKETING SYSTEM, MOBILE MARKETING SERVER, AND ASSOCIATED USER TERMINAL, ANALYSIS TERMINAL, AND PROGRAM

Application No.: 10/081,229

Filing Date: 02/25/2002

Examiner: Retta, Yehdega

Art Unit: 3622

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

RELEVANCE OF EACH DOCUMENT

Any documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding Japanese application. Items of information A1, A2 and A3 are U.S. patents that is a counterpart to item of information A13. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

A translation of a portion of a Japanese Office Action that issued February 8, 2005 with respect to a counterpart Japanese patent application is provided below.

“Note
(for the cited literature, see the List of Cited Literature)

(With regards to Claims 1–6, 10–16, 20, 22, 24, and 26)
Cited Literature 1 and 2

Cited Literature 1 describes an information search method (system) wherein an information server system that can communicate with multiple movable information search client terminals receives information requests from the multiple movable information search client terminals; the information search client terminal sends the location information of the terminal obtained by GPS and the attribution information of the terminal user to the information server; and the information server selects the information that is applicable to the selection conditions by referring to the selection condition table for the information based on the location of the terminal and attribution information of the terminal user, edits the content of the selected information, and then distributes it to the information search client terminal.

Cited Literature 2 describes an information search distribution method and system that allows the searching and distribution of appropriate information depending on information from a radio communication terminal such as the location, moving speed, and moving direction, and therefore a structure in which content is selected and sent based on information on the location, moving speed, and moving direction of the terminal, instead of on the current location information of the terminal in the invention according to

Cited Literature 1 is within the range of that which a person skilled in the art could easily arrive at.

(With regard to Claims 7, 17, 25, and 28)
Cited Literature 1 through 3

Cited Literature 3 discloses a mobile object activity management system that allows analysis and management of the activities of the mobile object (holding time, etc.) by receiving identification and location information from the mobile object and periodically accumulating the location information of the mobile object and sends the analysis information to monitoring terminals, etc. A person skilled in the art could have easily arrived at a structure for an analysis of the activity of a mobile terminal using a monitoring terminal in the invention according to Cited Literature 1.

In addition, the structure in which the information selection condition table can be modified from the management terminal such as for the monitoring terminal is within the range of that which a person skilled in the art could have easily arrived at.

(With regard to Claims 9 and 21)
Cited Literature 1, 2, and 4

In Cited Literature 1, language that is used by the user on a daily basis, favorite news genre, birth date, etc. are given as examples of user attributes. However, in the technical field of information filtering, age and sex are a publicly known and commonly used method for user attribution used for the selection condition of information (for example, see Literature 4), and therefore the employment of these user attributes in the invention stipulated in Cited Literature 1 is a mere design issue that could be appropriately selected by a person skilled in the art.

(With regard to Claims 8, 19, 23, and 27)
Cited Literature 1-3 and 5

Cited Literature 5 discloses an information system in which the location information of the user's mobile terminal (information that the user was in a specific area in the past) and the usage form of the information service by the user are read from the log information and analyzed, and then the user's taste is analyzed based on the analysis results to be effectively used to provide information to the user.

If any new reasons for rejection are found, notification will be made of the reasons for rejection.

List of Cited Literature

1. Japanese Unexamined Patent Application Publication H09-305518
2. Japanese Unexamined Patent Application Publication 2000-187667
3. Japanese Unexamined Patent Application Publication 2000-046856
4. Japanese Unexamined Patent Application Publication H11-265398
5. Japanese Unexamined Patent Application Publication 2000-123027

Record of Prior Art Literature Search Results

- Fields searched - IPC 7th Edition - G06F - 17/30, 17/60, 13/00
DB name JSTPlus file (JOIS)

Prior art literature

Japanese Unexamined Patent Application Publication H08-249307
Japanese Unexamined Patent Application Publication H11-088553
Japanese Unexamined Patent Application Publication H11-282863
Japanese Unexamined Patent Application Publication H11-285053
Japanese Unexamined Patent Application Publication 2000-020548
Japanese Unexamined Patent Application Publication 2000-215211
Japanese Unexamined Patent Application Publication 2001-014324

Akio Kaneyoshi et al., Proposal for an application for ubiquitous information service system operation, Information Processing Society of Japan Research Report, Japan, Information Processing Society of Japan, November 26, 1999, Vol. 99, No. 97 (99-HI-86-6), pp. 33–38.

Nobuyuki Miura et al., Information structuring of location orientation and information filtering: Mobile info-search 3 experiment, Information Processing Society of Japan Research Report, Information Processing Society of Japan, November 26, 1999, Vol. 99, No. 97 (99-HI-86-7), pp. 39–44.

This Record of Prior Art Literature Search Results does not constitute a reason for refusal.”

Applicant’s statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 18, 2005

By Phillip J. Articola

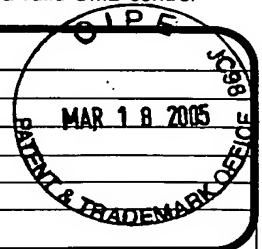
FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

David A. Blumenthal
Registration No. 26,257

Phillip J. Articola
Registration No. 38,819

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: March 18, 2005 <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/081,229
				Filing Date	02/25/2002
				First Named Inventor	Hidekazu SAKAGAMI
				Group Art Unit	3622
				Examiner Name	Retta, Yehdega
Sheet	1	of	1	Attorney Docket Number	048369-0132



U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6,336,072		TAKAYAMA et al.	01/01/2002	
	A2	6,697,731		TAKAYAMA et al.	02/24/2002	
	A3	6,748,316		TAKAYAMA et al.	06/08/2004	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A4	JP	8-249307			09/27/1996		ABS
	A5	JP	9-305518			11/28/1997		ABS
	A6	JP	11-265398			09/28/1999		ABS
	A7	JP	11-88553			03/30/1999		ABS
	A8	JP	11-282863			10/15/1999		ABS
	A9	JP	11-285053			10/15/1999		ABS
	A10	JP	2000-20548			01/21/2000		ABS
	A11	JP	2000-123027			04/28/2000		ABS
	A12	JP	2000-187667			07/04/2000		ABS
	A13	JP	2000-215211			08/04/2000		ABS
	A14	JP	2001-14324			01/19/2001		ABS

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ⁶
	A15	AKIO KANEYOSHI et al., "Ubiquitous Information Service Systems for Business Application", November 26, 1999, Vol. 99, No. 97, pages 33-38.			
	A16	NOBUYUKI MIURA et al., "Location-Oriented Structuring and Filtering of Information", November 26, 1999, Vol. 99, No. 97, pages 39-44.			

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.